

REMARKS

Claims 4-6 and 15 are presented for consideration, with Claim 15 being independent.

Independent Claim 15 has been amended to further distinguish Applicants' invention from the cited art. Support for the amendments can be found in the original disclosure, for example, at least in Figs. 1-3 and page 8, line 1 through page 11, line 16 of the specification. Therefore, Applicants submit that no new matter has been added. Claims 2, 3, 7, 8, and 16 have been cancelled. In addition, editorial changes have been made to selected claims.

The amendments to the claims were not presented earlier as it was believed that the previously presented claims would be found allowable. This Amendment cancels claims without adding any new claims. Moreover, the Examiner's familiarity with the subject matter of the present application will allow an appreciation of the significance of the amendments herein without undue expenditure of time and effort. Finally, the Amendment does not raise new issues requiring further consideration or search. Accordingly, it is submitted that consideration and entry of the Amendment is appropriate.

The Office Action rejected Claims 2-8, and 16 under 35 U.S.C. § 102(b) as being anticipated by Ikeda et al. '521. Applicants submit that this rejection is moot in light of the cancellation of Claims 2, 3, 7, 8, and 16 and the amendments to the dependencies of Claims 4, 5 and 6.

Claim 15 stands rejected under 35 U.S.C. § 102(b) as allegedly being anticipated by Ikeda '896. This rejection is respectfully traversed.

Claim 15 of Applicants' invention relates to an electrophoresis display apparatus comprising a first substrate and a second substrate arranged with a predetermined gap in between, an insulating liquid and a plurality of charged particles enclosed in the gap between the substrates, and a first electrode placed along the first substrate over a relatively wide area of a pixel. In addition, a second electrode having a voltage applied therebetween and the first electrode is provided, with the electrophoresis display apparatus carrying out a display by applying a voltage to these electrodes and moving the charged particles. The charged particles are colored in a first color and, as amended, at least a first portion of an area of the first electrode which is capable of attracting the charged particles thereon is colored in substantially the same color as the first color, with the first portion bordering on the second electrode, and at least a second portion of the area of the first electrode except for the first portion, is colored in a second color. In addition, when the charged particles are placed so as to cover the first electrode, the first color is visually recognized, and when the charged particles are attracted to the second electrode and accumulated, the second color is visually recognized.

In contrast to Applicants' claimed invention, however, Ikeda does not teach or suggest, among other features, having a first portion of an area of the first electrode capable of attracting the charged particles colored in substantially the same color as a first color of the

charged particles, and having a second portion of the area of the first electrode except for the first portion being a second color. The Office Action takes the position that Ikeda '896 discloses a display apparatus wherein at least a first portion of a first area where the first electrode is placed in which the density of the charged particles cannot be kept high is colored in substantially the *same* color as the first color (the color of the charged particles). It is respectfully submitted, however, that Ikeda actually teaches providing the color of a corresponding first area of the first electrode when viewed as *different* from the color of the charged particles. In Ikeda, it is the second electrode and the charged particles that are colored the same (see, for example, column 5, lines 11-24).

Therefore, it is submitted that Ikeda's display device fails to teach or suggest Applicants' invention as set forth in Claim 15. Accordingly, reconsideration and withdrawal of the rejection of Claim 15 under 35 U.S.C. § 102(b) is respectfully requested.

Accordingly, it is submitted that Applicants' invention as set forth in independent Claim 15 is patentable over the cited art. In addition, dependent Claims 4-6 set forth additional features of Applicants' invention. Independent consideration of the dependent claims is respectfully requested.

In view of the foregoing, reconsideration and allowance of this application is deemed to be in order and such action is respectfully requested.

Applicants' undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below-listed address.

Respectfully submitted,

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